

REMARKS

Status of the Claims

In an Office Action mailed May 29, 2007 (Hereinafter referred to as, "the Office Action"), claims 1, 5, 11, 12, 14, 15, 17, 19, and 20 stand rejected. In addition, claims 2-4, 6-10, 13, 16, and 18 are objected to as depending from rejected claims but are otherwise allowable. Claim 21 is allowed. Without conceding the propriety of the rejection under 35 U.S.C. § 102 claims 1, 14, and 20 are amended herein to include subject matter indicated as allowable. More particularly, claim 1 has been amended to incorporate the subject matter of claim 2. Claim 14 has been amended to incorporate the subject matter of claim 16. Claim 20 has been amended to incorporate the subject matter of amended claim 1. Claims 2, 16, and 19 have been canceled. Claims 3, 6 and 8 have been amended to correct dependency. Claim 22 is newly added and includes subject matter from allowed claim 21. Accordingly, no new matter has been added by this amendment and no estoppels are intended thereby.

Applicants have thoroughly reviewed the Office Action including the Examiner's remarks. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

Information Disclosure Statement:

In the Office Action, an informality was noted in the Information Disclosure Statement filed May 13, 2004. The dates for the following cited references have been omitted: 1) in column HH - Amazon.com, "Quick-Grip 00512 Bar Clamp"; 2) in column II – Honeywell Company "Sensotec Brand Products." The Applicants respectfully submit that the first

publication dates for these references is unknown but on or before the date printed at the bottom of each page. Specifically, the Amazon.com, “Quick-Grip 00512 Bar Clamp” publication date was on or before February 2, 2004 and the Honeywell Company “Sensotec Brand Products” publication date was on or before December 1, 2003.

Rejections Under 35 U.S.C. § 102(a):

Claims 1, 5, 11, 12, 14, 15, 17, 19, and 20 are rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent 6,681,620 to Sakamoto et al. (Sakamoto). The Applicants respectfully submit that the amendment to claims 1, 14, and 20 obviate the rejection of claims 1, 5, 11, 12, 14, 15, 17, and 20. In these amendments, the subject matter indicated as allowable has been incorporated into claims 1, 14, and 20. The Applicants believe claims 1 and 20 are allowable for at least the reason that each claim recites, *inter alia*, a ratchet assembly comprising: a handle translatable along said shaft; a handle with an aperture through which said shaft passes; an attachment arm that extends from said handle; and at least one trigger extending from said handle. The Applicants further believe claim 14 is allowable for at least the reason that the claim recites, *inter alia*, a means for supporting the apparatus on a surface; a means for clamping onto said supporting means and translating along said supporting means; a lever arm having a first end and a second end, and pivotally connected to said clamping means at said first end of said lever arm, wherein said clamping means comprises a handle and at least one trigger operable to translate said clamping means. Further comment thereon is not believed necessary. Claims 5, 11, and 12 depend from claim 1. Claim 15, 17, and 19 depend from claim 14. Claim 19 has been canceled without prejudice or disclaimer of the subject matter therein. Therefore,

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withdrawal of the rejection of claims 1, 5, 11, 12, 14, 15, 17, and 20 under 35 U.S.C. § 102(a) as being anticipated by Sakamoto is earnestly solicited.

Allowable Subject Matter

The indication that claim 21 is allowable and that claims 2-4, 6-10, 13, 16, and 18 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim is noted with appreciation. Claims 1, 14, and 20 are amended herein to include subject matter indicated as allowable.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action hereby solicited. If it is believed that the application is not in condition for allowance the Examiner is requested to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

No extensions of time are believed due in connection with this submission. However any extension of time necessary for entering this paper is hereby requested and any fees due for consideration of this response is hereby authorized to be charged to Deposit Account No. 50-2036 with reference to Atty. Dkt. No.: 5165.1820.

Respectfully submitted,

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